



California
Department of
Health Services

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State of California-Health and Human Services Agency
Department of Health Services



ARNOLD SCHWARZENEGGER
Governor

October 12, 2005

CMS INFORMATION NOTICE No.: 05-08

TO: COUNTY CALIFORNIA CHILDREN'S SERVICES (CCS) PROGRAM,
CHILD HEALTH AND DISABILITY PREVENTION (CHDP) PROGRAM
DIRECTORS, AND ALL STATE CHILDREN'S MEDICAL SERVICES
(CMS) BRANCH STAFF

SUBJECT: CCS, CHDP, NEWBORN HEARING SCREENING PROGRAM (NHSP)
AND GENETICALLY HANDICAPPED PERSONS PROGRAM (GHPP)
LAWS

Enclosed for your information and convenience are the laws directly relating to or having impact on CCS, CHDP, NHSP, and GHPP.

This document is an update to the set of laws that were previously provided via CMS Information Notice No. 03-01 dated March 7, 2003. The statutory changes reflected in this revision are as follows:

- Added Health and Safety Code, Section 123853, providing CCS with the legal authority to enter into competitively bid contracts for the procurement of medical services including pharmaceuticals, medical supplies and durable medical equipment in the same way as Medi-Cal for the purpose of containing costs.
- Added Health and Safety Code, Section 123929, to codify CCS prior authorization requirements and allowing that prior authorization be waived either in accordance with Welfare and Institutions Code, Section 14133.05, or when the child is an AIM-linked infant with retro-eligibility for the Healthy Families program.
- Added Welfare and Institutions Code, Section 14093.06, requiring Medi-Cal managed care plans, where CCS services are carved-in, that expand into other counties to comply with CCS program standards, including but not limited to referral, determination of medical eligibility, follow treatment plans approved by CCS,

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including the use of paneled/approved providers, and to apply the CCS appeal and fair hearing process.

- Added Welfare and Institutions Code, Section 14133.05, requiring that all requests for treatment authorization for a Medi-Cal beneficiary can only be reviewed for determination of medical necessity. (Refer to Numbered Letter 02-0301, dated March 9, 2001)

These laws can be found in West's "Annotated California Codes" and can also be accessed on the internet at <http://www.leginfo.ca.gov/calaw.html>.

If you have any questions regarding this information please contact your CMS State Regional Office consultant.

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Enclosures